



CONSUMER CONNECTION

CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS

www.dca.ca.gov

Holiday Consumer Tips!

Web Safety for Kids:
“Not a creature was stirring,
just your child’s mouse....”

**Things to “Bear” in Mind
While Toy Shopping**

Oh, Tannenbaum! Oh Fireball! Tree Safety Tips

...and more!



Your wish is our command! Although the *Consumer Connection* is an online magazine, hard copies are available. Copies of this issue and previous issues can be obtained by contacting the Department of Consumer Affairs’ Policy & Publications Development Office at (866) 320-8652, or by writing to us at: 1625 N. Market Blvd., Suite N-112, Sacramento, CA, 95834.



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► ***Consumer Connection* is produced by the Department of Consumer Affairs' Policy & Publications Development Office. If you have questions or comments, you can reach us at consumerconnection@dca.ca.gov.**



Welcome from the Director

Consumer spending accounts for approximately two-thirds of the American economy, and a good portion of that spending occurs between Thanksgiving and New Year's Eve. New technology has flooded the marketplace with innovative products and services, introducing new markets such as E-commerce. Last year, despite climbing oil prices and devastating hurricanes, online shopping accounted for \$143.2 billion in sales, an increase of 22 percent from the previous year. With these expanding markets and improved technologies come new challenges for the consumer. With this in mind, *Consumer Connection* has filled the pages of this issue with tips and information designed to keep consumers aware in this changing marketplace.

Credit cards have been around for half a century. And, although the plastic cards may look like credit cards from years gone by, the resemblance ends there. Financial terms, such as variable interest rates, combined with ever-shifting terms and conditions have made credit cards dauntingly complex financial agreements. For that reason, the staff of *Consumer Connection* will assemble and publish in the near future a special supplement titled, the "A to Z Guide to Credit Cards," to help guide California consumers through the maze.

Another type of card that is gaining popularity with California consumers is the gift card. This year, approximately \$18.5 billion will be spent on gift cards, which have their own rules and laws. In this issue, we let you know how the laws in California protect you and how you can protect yourself—by asking merchants the right questions.

This issue, we offer these stories plus tips on enhancing your security awareness, developing safe shopping strategies, and carrying that sensibility into the home as you purchase toys and decorate. We provide this information in the hope that all Californians, of all faiths and beliefs, will have an enjoyable winter holiday experience.

Finally, I would like to take this moment to thank California's consumers for the privilege of having served you during this past year. I wish you all a safe and joyous holiday season!

Sincerely,

CHARLENE ZETTEL, DIRECTOR
Department of Consumer Affairs



child protection advocates gathered “will help protect some of our most vulnerable consumers.”

In a special appearance, Governor Arnold Schwarzenegger said, “I think it is extremely important also for us to recognize that the only way we can protect our kids is for us adults to work together here to do everything



Cyber Safety Summit Helps Kids Surf Safe, Smart, and Legal

“Working to protect young consumers supports the mission of the Department of Consumer Affairs. This Summit is our first effort of its kind to help protect children online, but it won’t be our last.” That is how Department of Consumer Affairs (DCA) Director Charlene Zettel welcomed the crowd of 650 parents, educators, law enforcement officials, and community leaders who attended the first California Cyber Safety Summit: Protecting Children Online October 18 at the Sacramento Convention Center. DCA sponsored the event with the newly formed California Coalition for Children’s Internet Safety.

Featured speaker Rosario Marin, Secretary of the State and Consumer Services Agency, echoed Director Zettel’s determination to continue the work of the Summit, adding that the

we can to shield our children from harm.” The governor also announced that the State’s Cyber Safety Web site, www.cybersafety.ca.gov, would soon become a resource and clearing house for parents, teachers and others to provide information on keeping children safe online.

The Summit’s keynote speaker was Marc Klass, who created the nonprofit KlassKids Foundation in September 1994, less than a year after the kidnapping and murder of his 12-year-old daughter, Polly. Since then, he has pursued an aggressive child safety agenda throughout the United States. “The Internet has emboldened a new generation of predators,” he said. “Awareness and training are some of the strongest tools we can provide our children to teach them how to protect themselves from online predators.”

But what do we do when our children know more about cyber space than we do? That was the question posed by Parry Aftab, founder and executive director of WiredSafety.com. Her answer: “We learn from them, of course.” WiredSafety is an all-volunteer organization that supports cyber safety for children on several fronts. One of the group’s efforts is Teenangels.org, a group of teen and tween experts who provide tips on safe and responsible Internet use.

Several Teenangels talked to the audience about another troubling danger children face online: cyber bullying. Parents need to be aware, Aftab said, that “the person causing your child trouble online may not be a predator at all; it may be another teenager, one of their friends, even a sibling.”

Some aspects of cyber bullying include:

- Impersonating someone in messages and chat rooms.
- Posting an embarrassing photo of someone without his or her knowledge.
- Posting a photograph manipulated to place a person in sexual situations.

A second panel representing law enforcement, children’s safety advocates, and industry, including the popular online social network site MySpace, discussed what is being done to identify and reduce the dangers to children. Afternoon sessions covered Internet safety in homes and schools, understanding cyber space, and investigative tools for law enforcement.

The all-day exposition also featured displays of child-safety software products, computer games, and educational materials.

Income Limit Raised: More Money for Smog Check, Repair Help

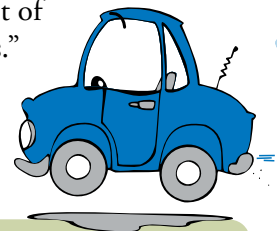
The Bureau of Automotive Repair (BAR) has recently raised the income limit for consumers to receive financial help to enable their vehicles to pass Smog Check and receive related repairs. Although the Consumer Assistance (CAP) Program has been in existence for more than a decade, Assembly Bill 383, sponsored by Assembly Member Cindy Montañez, raised the maximum income eligibility for repair assistance to 225 percent of federal poverty guidelines. The bill, which took effect January 1, 2006, allowed BAR to raise the CAP income limit to the current 225 percent last summer. For example, a family of four can now have an income up to \$45,000 and still be eligible for assistance under CAP. (See table below).

Motorists who meet the income eligibility qualifications pay only the first \$20 toward diagnosis and/or emissions-related repairs. The State will pay up to \$500 to complete the repairs.

Those who do not qualify in terms of income but who are directed to a Test-Only station for their Smog Check also can receive financial assistance. These consumers pay only the first \$100 toward diagnosis or test related repairs. In addition to repair assistance, CAP also offers any motorist \$1,000 to voluntarily retire his or her high-polluting vehicle rather than have it repaired. (The vehicle must have failed Smog Check and have all fees current.)

The increased CAP income eligibility limit is estimated to help remove 88 tons of pollution from California's air each year without placing a burden on families whose resources are limited, a situation Department of Consumer Affairs (DCA) Director Charlene Zettel characterized as "a win-win for all Californians."

For more information about the Consumer Assistance Program, call (800) 952-5210 or visit www.smogcheck.ca.gov.



Income Eligibility Table
Consumer Assistance Program – Repair Assistance Option

Number of People In Household*	2005	January 1, 2006	NEW
1	\$ 17,705	\$ 19,600	\$ 22,050
2	\$ 23,736	\$ 26,400	\$ 29,700
3	\$ 29,767	\$ 33,200	\$ 37,350
4	\$ 35,798	\$ 40,000	\$ 45,000
5	\$ 41,829	\$ 46,800	\$ 52,650
6	\$ 47,860	\$ 53,600	\$ 60,300
7	\$ 53,891	\$ 60,400	\$ 67,950
8	\$ 59,922	\$ 67,200	\$ 75,600
For more than 8, add the following amount for each individual	\$ 6,031	\$ 6,800	\$ 7,650

* "Household" means all family members or other persons who reside together and share common living expenses.

DIVISION OF INVESTIGATION CASE HIGHLIGHTS

The Division of Investigation (DOI) was established in 1961 to provide centralized investigative services for regulatory boards and bureaus within the Department of Consumer Affairs. DOI is the Department's law enforcement arm, its peace officers conduct both administrative and criminal investigations against licensees (or persons posing as licensees) that are initiated by consumer complaints. Last year, DOI's seven field offices completed 1,083 investigations, referring 78 cases to local district attorneys' offices for criminal charges.

The Division has provided a brief description of some of their most significant investigative cases of 2006:

- **RN Case** - The subject Registered Nurse (SRN) was hired as a caregiver for an elderly male, and while so employed, obtained access to the patient's finances. The SRN began issuing checks to herself from the patient's account. In conjunction with the DOI investigation, the Tuolumne County Sheriff's Office charged the SRN with theft and elder abuse. The SRN was convicted and surrendered her license so she will be unable to practice nursing. A provision of her conviction prohibited the SRN from providing care to anyone except an immediate family member.
- **Vet Case** - DOI, working with the federal Department of Homeland Security and Nuclear Physicists of the Department of Health Services, Radiologic Branch, confirmed that a Doctor of Veterinary Medicine (DVM) was using radioactive materials in her veterinary practice in an illegal and unsafe manner. On numerous occasions, the DVM failed to properly monitor animals under her care and/or prematurely released animals she had treated with radioactive iodine for hyperthyroidism. In so doing, many of those animals died, and humans and animals were subject to radioactive poisoning as a result of physical contact, proximity, and/or exposure to the urine and/or feces of the treated animals. As a direct result of this investigation, the DVM signed a Stipulated Agreement revoking (taking away) her license to practice veterinary medicine.
- **Physical Therapy Case** - DOI conducted an investigation into the owner of an orthopedic and sports rehabilitation facility who was engaging in the unlicensed practice of physical therapy. The investigation revealed that between 1996 and 1999, the owner held a valid Physical Therapy Assistant license, which was revoked in 1999 after he was convicted of illegally practicing physical therapy, holding himself out as a Physical Therapist, and obtaining fees by fraud or false pretense. DOI's investigation, with the Department of Insurance Fraud Division, revealed that the owner was again illegally holding himself out as a Physical Therapist and practicing physical therapy by using and representing as his own, an altered physical therapy license. Undercover operations were conducted, and search warrants were served at his physical therapy facilities and his residence. The Alameda County District Attorney's Office filed charges. The owner was



convicted and agreed to five years formal probation and paid fines and restitution in the amount of \$181,353.

- **LVN Case** - DOI conducted an investigation into the allegations that a Licensed Vocational Nurse (LVN) abandoned his nursing care of a ventilator-dependent, quadriplegic female adult and sexually abused the dependent adult patient. The interview revealed that the patient could not move, but did know and could feel when she was being touched. The patient confirmed that over a two-year period the LVN sexually abused her on more than 40 separate occasions. The Board of Vocational Nursing and Psychiatric Technicians filed an Accusation and the subject surrendered his license.
- **Acupuncture Case** - Subject licensee was prosecuted after DOI's investigation determined that the subject allowed her acupuncture license to be used as a front for prostitution operations in several Inland Empire cities. The licensee no longer possesses a license to practice acupuncture.
- **Court Reporter Case** - DOI investigated a Program Coordinator for the Court Reporting Program at a local college to determine how the Program Coordinator obtained copies of the Board's examination questions and to whom she had provided the examination questions. Charges were filed by the San Bernardino County District Attorney's Office and the criminal case is pending.
- **RN Case** - DOI investigation revealed that the Subject Registered Nurse (SRN) forged approximately 15 prescriptions and obtained 240 tablets of Vicodin ES and 180 tablets of Ambien 10mg. When interviewed, the SRN confessed to forging all of the prescriptions. Felony charges were filed with the District Attorney's Office in addition to the administrative charges that are pending.

Special Operations Unit Case Highlight:

- **Cal Card Fraud Investigation** - The DOI initiated an investigation after an internal review of DCA's Cal

Card statements reflected suspicious purchasing activity by several state employees. Investigation revealed that the California Department of Forestry and Fire Protection and the National Park Service also reported similar suspicious purchasing activity, all concentrated in the Fresno area. SOU Investigators learned that all of the state and federal agencies were using a Fresno area business. Subjects known to the business owner had obtained numerous credit card numbers from the business and were using them to fraudulently purchase items over the Internet. The suspects also obtained gift cards from area merchants and made numerous purchases using the credit and personal information of the State and federal employees. The gift cards were used at Starbucks, Jo-Ann Fabrics, and CompUSA among others. Investigation revealed that the suspects fraudulently obtained goods in excess of \$10,000 using State and federal employees' credit information. The suspects used Department of Consumer Affairs' employees' credit information to fraudulently obtain goods in excess of \$3,000.

On November 30, 2005, a multi-agency search warrant was executed in Clovis, CA, that resulted in the arrest of two suspects for various identity theft crimes. Twelve explosive devices, methamphetamine, and a handgun were found at the residence. A large amount of stolen property and evidence was also recovered.

The suspects in this ongoing investigation are alleged to have committed over 160 felony criminal acts of fraud and identity theft type of crimes. Verified victims in this case included employees of the Department of Consumer Affairs, Bureau of Automotive Repair, California Department of Forestry and Fire Protection, California National Guard, National Park Service, Pacific Gas and Electric Company, United States Postal Service, United States Forest Service, Merced County, Mariposa County, Madera County, as well as several private individuals. The Fresno County District Attorney's Office handled the case. Both suspects pled guilty and were sentenced to State prison.



Fending Off Identity Thieves:

How not to “lose yourself” in the holiday spirit



To avoid becoming one of the estimated one million Californians who experience identity theft each year, the Department of Consumer Affairs' California Office of Privacy Protection offers the following tips:

When shopping at the mall ...

Before you give any personal information to a business, ask how it will be used or shared. Sometimes, “sharing” is just a euphemism for selling information about customers. If you're not comfortable with the answers, shop elsewhere.

When using an ATM, or using your ATM or debit card at a store, shield your card number and PIN so others don't see them. Be aware that the camera feature on many cell phones can be used to capture your PIN or credit card number.

When shopping online...

Click with caution. Read the merchant's privacy policy and look for opportunities to opt out of information sharing. (If there is no privacy policy posted, beware! Shop elsewhere.) Only enter personal information on secure Web pages with “https” in the address bar and a padlock symbol at the bottom of the browser window. These are signs that your information will be encrypted or scrambled, protecting it from hackers.

No “phunny” business...

Fight “Phishing!” Scam artists “phish” for victims by pretending to be banks, stores, or government agencies. Don't give out your personal information, unless you made the contact. Don't respond to a request to verify your account number or password. Legitimate companies do not request this kind of information in this way.

For more on how to prevent and respond to identity theft, visit the California Office of Privacy Protection Web site at www.privacyprotection.ca.gov, or call toll free at (866) 785-9663.



WHILE THE CAT IS AWAY:

Child Internet Safety for the Holidays

The holidays can bring many wonderful, fun-filled days for families, particularly for our children. To keep the spirit bright, we must remember that amid all the cheer, our children can still find themselves getting into potentially dangerous situations.

Many parents are still at work while children are at home enjoying their winter vacation. This unsupervised time, and children's natural curiosity, can certainly lead them down a mischievous path. DCA recently hosted the first-ever Cyber Safety Summit Protecting Children Online, on October 18, 2006, at the Sacramento Convention Center, to address cyber safety concerns. One of the most important safety tips for parents is to keep the home computer in a common area of the house so they can better supervise what a child does online. We were all children once and know that when the cat is away, the mouse will play!

This is an excellent time to review the established ground rules for our children about when they can be online, how much time they can spend, and what Web sites are appropriate for them to visit. There are many different types of filtering software available that can block access to sites deemed inappropriate for children. As a holiday present to the entire family, filtering software and virus protection should be at the top of everyone's list. It is a gift that will keep on giving by keeping our children, our privacy, and our computers safe from unwanted content or attacks.

We all know that our children want the most up-to-date-gotta-have-it-super-cool tech gifts on the market. While these new gadgets and gizmos may certainly make our lives easier and connect us more efficiently, they can also open the door to new ways for children to expose themselves to danger. Computers that fit into your pocket under the guise of a cell phone and gaming technology that lets you communicate and play interactively with people around the world are incredible innovations. They can also be a portal to danger if used carelessly.

We need to remember that when looking for the hot-ticket items to give our children as gifts, we are handing them another way to connect to the online, anonymous world where people are not always who they seem. That is not to say we should shield our children from these new "toys," but rather, when giving gifts of technology, we must be sure to explain that the safety rules established for everyday technology use at home are the same with the gizmos and gadgets that can go with them anywhere.

By following these simple practices, we can keep the holidays bright for our children and families. For more tips on keeping our children safe online, please visit us online at www.cybersafety.ca.gov.

Toy Story:

THINGS TO “BEAR” IN MIND WHILE SEARCHING FOR THE PERFECT GIFT

Every holiday season, top honors on the list of most asked-for toys goes to a new favorite. In the past, top honors have gone to toys like Bratz. Buzz Lightyear. Legos. Game Boys. Power Rangers and Transformers. Beanie Babies. This year, it looks like a new, improved, Tickle Me Elmo might be a contender. Comments like “Mom! This is it!” “Can I have it please?”

But just because a toy is popular, however, doesn’t mean it’s appropriate for your child. In the search for the perfect toy, parents walk a fine line. They attempt to give their child a toy that is fun yet safe, one that will be enjoyed and not discarded easily.

According to the National Network for Child Care, (www.nncc.org/) each year more than 5,000 new toys enter the marketplace; during the holidays, about 150,000 different kinds of toys are offered in approximately 1 million retail locations. All of these choices and considerations can make toy shopping more intimidating than fun.

What to do? The U.S. Consumer Product Safety Commission offers these tips: First, **read the label**. Make sure the toy you’re considering is appropriate for your child’s age. Keep in mind your child’s interests and skill level, too. Look for labels, including “Flame Resistant/Flame Retardant” and “Non-Toxic” to ensure the toy is safe for your child. If the child is an infant, make sure toys such as rattles, squeeze toys, and teethingers are large enough that they cannot get lodged in the throat if they are swallowed.



The directions or instructions provided with the toy should be clear to you. Then, you can instruct your children on the safe operation of their toys and periodically check to see that they are using the toy as it is intended. Also, don't forget the old favorites—broken toys should be repaired, replaced, or discarded.

Keep an Eye Out For:

Sharp Edges: Toys intended for ages eight and under should not be made of or have sharp glass, brittle plastic, wood, or metal edges. Older toys can become worn with use; check these periodically for sharp edges as well.

Small Parts: Federal law bans small parts in new toys for children under three years old, including removable eyes and noses on stuffed toys, squeakers, and small pellets, all of which can be swallowed and/or inhaled.

Loud Noises: Cap guns and other noisy toys can produce sound loud enough to damage hearing. By law, caps that make noise above certain levels carry two warnings: Do not fire within one foot of the ear, and use outdoors only.

Cords and Strings: Young children can become caught in long strings or cords, causing strangulation. Do not hang toys with ribbons, cords, or strings in playpens or cribs where infants or toddlers can reach them and become entangled.

Sharp Points: Dolls or stuffed toys may contain staples or wire that can puncture young skin. Older toys that are broken can also have dangerous points or prongs and should be checked periodically.

Propelled Objects: When thrown, toy missiles, rockets, and other flying objects can turn into weapons that can cause injury, especially to the eyes. Darts and arrows used by children should have soft cork or rubber tips. Make sure dart guns and other firing toys cannot be used to fire other things such as pencils or nails.

Electric Toys: These toys should be used only under adult supervision; they must also meet mandatory requirements for temperature, construction, and warning labels. Check cords for frayed edges that can shock or burn.

For more information on toy safety and tips for age-appropriate toy buying, visit the Consumer Product Safety Commission at www.cpsc.gov.

The commission offers several toy safety publications available for download at no charge. Information is also available online on how to order printed copies of these materials.





Gift Cards:

What You Should Know Before You Buy Them



**“MORE.” THAT WAS REPORTEDLY ACTRESS JULIA ROBERTS’
REPLY TO THE QUESTION: “WHAT DO YOU BUY THE PERSON
WHO HAS EVERYTHING?”**

If you’re unable to decide what “more” should be, you could opt to give a gift card. If so, you wouldn’t be alone. This year, roughly three out of four U.S. consumers will purchase gift cards worth an estimated \$18.5 billion in merchandise.

With the holiday shopping season approaching, a few reminders are in order to keep your gift card shopping free of unwanted extras such as expiration dates and fees.

“In most cases, California law protects people who buy or receive gift cards, but there are exceptions,” said Charlene Zettel, Director of the California Department of Consumer Affairs. “With a gift card, the recipient can choose what they want. We just want to make sure consumers know if any strings are attached.”

The card with the most protection under California law is the traditional gift card or gift certificate, issued by a single business and used for goods or services from that business or its affiliates. Expiration dates and service fees—with limited exceptions—are illegal with this type of card. When using or buying such a card, be sure to get answers to some basic questions:

- What is the store’s policy on returned merchandise?
- Are there limits on the type of items that may be purchased? Are discounted or sale items included?
- If you spend less than the amount on the card, will you get the remainder in cash or another card?
- Can you add value to the card?

One fee that can be charged with the single business card is a “dormancy fee.” All of the following must be true before the fee is allowed:

- The card must be worth \$5 or less.
- The card hasn’t been used in 24 consecutive months or longer.
- The cardholder may add additional value to the card.
- The dormancy fee policy is printed on the card in at least 10-point type.

If these four circumstances exist, the seller may charge the cardholder up to \$1 a month in non-use fees.

This year, roughly three out of four U.S. consumers will purchase gift cards worth an estimated \$18.5 billion in merchandise.

Gift cards for food items (not restaurant meals) may have expiration dates as long as that information is printed in at least 10-point type on the card or gift certificate. Award cards and discount cards may also include expiration dates, but the dates have to be printed on the card or certificate in at least 10-point type.

Service fees and expiration dates are allowed on gift cards issued by banks, and on cards issued for multiple, unrelated businesses, such as stores in a shopping mall. These cards must have the expiration date printed on the card, and fees must be disclosed to purchasers.

A gift card for a food product or grocery store item can also have an expiration date, as long as the date is clearly printed on the card. Expiration dates are not allowed if the card is to be used for a meal in a restaurant.

If there is a dispute over the use of a gift card or certificate, try to resolve it with the vendor. If that fails, you have several other options:

- File a complaint with the Better Business Bureau. (<https://odr.bbb.org/odrweb/public/GetStarted.aspx>).
- Consider mediation. The Department of Consumer Affairs (DCA) maintains a list of local mediation programs. (www.dca.ca.gov/r_r/mediati1.htm).

If you think the vendor may have violated the law, there are other choices:

DCA maintains a list of county district attorneys (www.dca.ca.gov/r_r/distat1.htm), or you may want to contact the California Office of the Attorney General. (<http://ag.ca.gov/>).

For more information, consult the Department of Consumer Affairs’ online Legal Guide on Gift Certificates and Gift Cards. (www.dca.ca.gov/legal/s-11.htm).



Mall Safety: How to Stay Aware in the Holiday Frenzy

Blaring music, chattering toys, talkative children—the utter chaos of holiday shopping provides lots of distractions and rich opportunities for thieves and cons. By being aware and sensitive to your surroundings, you can prevent them from ruining your holiday.

Children:

First, don't bring kids if you have an extensive shopping list or plan to visit many stores. They will only slow you down and provide a distraction that thieves are only too happy to exploit. When you do bring the children for a little light shopping or to visit Santa, make certain they stay close to you and are "mall proofed." If they are somehow lost, they should know how to find a security officer or policeman. If approached by a stranger, especially one supposedly sent by Mom or Dad to find them, they should know to flee to the nearest store employee and,

if necessary, scream for help. More than 100,000 children are abducted each year, frequently in malls or department stores. Don't let your child be the next victim.

Parking Lot Sellers:

One ounce of Chanel N°5 for \$10? Just step behind the van. But instead of a perfume sample, you smell chloroform, a powerful anaesthetic. By the time you return to your senses, your purse, wallet, or car is long gone. Whether it's a bargain or a hard luck story, anyone hustling outside a store or mall is suspect, period. If you even see one of these characters working in the general vicinity, request a store security officer to walk you to your car.

Parking:

If you can't park close to the store or mall, always choose a well-lit area. Do not leave presents or other valuables

in the visible areas of your car. Delay storing valuable items in your trunk until you are leaving. Thieves observing from a long distance can see if you are using your trunk as temporary storage during a multi-store-shopping trip. They can wait until the area is relatively deserted and pry open your trunk with little trouble while you continue to shop.

Personal Security:

According to Kevin Coffey, founder of Corporate Travel Safety, you should avoid using isolated bathrooms located away from crowds or mall traffic. He advises that people who carry wallets should place them in their front pockets, and not their back pockets at the mall. People carrying purses should keep them tucked close to their bodies with the opening against them.



A freshly cut evergreen tree brimming with lights and decorations is a beautiful symbol of the holidays for many people. Careful decorating and a few common sense rules can keep this tradition alive—and keep everyone safe.

The following tips are from the Office of the State Fire Marshal (www.fire.ca.gov/):

- Cut about one inch off the bottom of the trunk when you get the tree home. The fresh cut will help the tree transfer water to the foliage.
- Place the tree away from sources of heat such as heating ducts, a wood stove, or fireplace, which can dry the tree out much faster than expected.
- Check the water level daily and don't let it fall below the bottom of the trunk. You can add a commercial floral preservative to the water to help the tree remain fresh.
- Use miniature lights. Standard-size bulbs generate more heat, which can make the tree dry faster.

The National Fire Protection Association (NFPA) at www.nfpa.org also suggests inspecting holiday lights and discarding any that have worn, frayed, or broken cords or loose bulb connections. According to the NFPA, of the 320 Christmas tree fires nationwide in 2003, roughly 40 percent were caused by an electrical problem or malfunction. About 25 percent of those fires resulted from a tree placed too close to a heat source.

Indoor Forest Fire!

How to keep your tree green



Wisconsin's Office of Privacy Protection Staff Visit California

What do California and Wisconsin have in common, besides a claim to producing the country's best cheese?

Both have an Office of Privacy Protection.

The California Office of Privacy Protection (COPP), part of the California Department of Consumer Affairs, has been around for five years. Wisconsin's Office of Privacy Protection has only been in existence since April of this year. To get the new office up and running without starting from scratch, Wisconsinites Susan Schilz and Michelle Reinen traveled to California and, during the first week of October, underwent training and shadowed COPP staff in their jobs.

"Our Office of Privacy Protection was modeled very closely after California's, so it made sense for us to see how

California approaches privacy protection and identity theft prevention," said Schilz.

COPP staff conducted training for their guests and shared best practices with them that will help protect Wisconsin residents from identity theft. Schilz and Reinen also observed a "train the trainers" presentation held by COPP for community-based organizations and received a thorough briefing on California's laws, privacy protection initiatives, and advocacy programs.

"We really learned a lot while we were in California," said Reinen. "The week we spent with COPP has given us a running start in our efforts to protect the citizens of Wisconsin."



Deborah Castanon (left) of the California Office of Privacy Protection goes over identity theft materials developed for consumers with Susan Schilz (center) and Michelle Reinen of the Wisconsin Office of Privacy Protection.

TODAY'S CREDIT CARD: FINE FOR SHORT TERM CREDIT, BUT RISKY AS A SAFETY NET

The holidays represent the busiest financial quarter of the year. For many retailers, sales during this period will either make or break their businesses. But for many consumers, buying gifts could mark a further descent into debt, and the main road leading there could be paved with credit cards. This year, according to the Federal Reserve, revolving debt is slated to surpass one trillion dollars which, according to the Consumer Federation of America and others, is mostly credit card debt. *USA Today* has estimated that there were as many as one billion credit cards in circulation last year, with an average outstanding balance of \$8,500. Others place this figure at more than \$10,000. In either case, credit card debt has never been higher.

Why? At one time, the credit card was a simple and convenient short-term loan instrument. Based on your income and credit history, you could borrow a certain sum, and as long as you stayed within that limit and paid on time, you paid little or nothing for the loan. At worst, you paid a predictable interest that, along with payments toward principal, would free you from debt in a reasonable time. Those days are gone.

Many consumers do not realize that over the past 25 years credit cards have changed. At one time they generated little or no profit and were a convenience provided to customers by banks or merchants. Today they are the major profit center for a wide range of financial institutions. Similarly, consumers have little awareness about how credit card laws and regulations have changed, including bankruptcy.

Consumer groups admit that as much as ten percent of credit card debtors have spent money they did not have on what they did not need. However, according to Elizabeth Warren, Chair of Harvard Law School, 90 percent of credit card users get into heavy credit card debt because of the loss of a spouse, loss of a job, a serious illness, or a "perfect storm" of all three. And subprime credit cards, one of the fastest growing segments of the credit industry, have been specifically targeted to families with marginal credit. Subprime cards can push some consumers over the edge into deep debt. New bankruptcy requirements may

make it difficult for them to retire that debt. This is all tied together with a common thread: Many people are looking to plastic to tide them through bad times, something today's credit card was never designed for. This has resulted in long-term financial distress.

To help inform our readers about this complex area of credit, *Consumer Connection* is in the process of preparing the "A to Z Guide to Credit Cards," which will be available in the near future. This guide will offer definitions, tips, and directions for you, the California consumer, so you can better understand how credit cards work, how to resolve complaints, deal with debt, clean up your credit score, and shop for a credit card that meets your needs.



SEVEN MORE DCA PUBLICATIONS

FRESH OFF THE PRESSES

The Department of Consumer Affairs (DCA) offers more than 200 consumer-related publications in print, online, in several different languages, and about subjects ranging from Accounting to Vocational Schools. Order a copy of the DCA Publications List and find out what information DCA has available to you.

A Consumer's Guide to Naturopathic Medicine: These days, many people are turning away from traditional Western medicine and searching for more holistic approaches to health care. This pamphlet explains the ideals of Naturopathic medicine, educational requirements for its practitioners, health care coverage, and what you might expect on your first visit to a Naturopathic doctor.

Some Things You Need to Know About Smog Check in California: You get your renewal notice from the Department of Motor Vehicles (DMV) in the mail. It's your turn for a smog check. What's next? What are Test-Only and Gold Shield stations? What if your vehicle doesn't pass smog? This brochure from the Bureau of Automotive Repair (BAR) answers these questions and more about California's Smog Check Program.

Lemon-Aid for Consumers: If that new car you bought spends more time at the repair shop than in your driveway, you may be eligible for protection under California's Lemon Law. This booklet from the Arbitration Certification Program answers frequently asked questions about the Lemon Law—what it is, what it covers, what it doesn't cover, where to find help, and

what steps to take to get your case ready for arbitration. Now available in Spanish and Cantonese.

Using the Small Claims Court: Sometimes, disputes cannot be settled through arbitration or mediation. When this is the case, using the Small Claims Court system is an option. This booklet, prepared by DCA's Legal Affairs Division, gives a step-by-step process of the system, from deciding if the court system is right for your situation, to filing the proper paperwork and preparing for court through the judgement. It also includes a glossary of common terms used in the court system a list of forms, and a checklist for you to use before and after the hearing for both plaintiffs and defendants. Now available in Spanish.

Consumer Information Center (CIC) Card: DCA's Consumer Information Center (CIC) offers assistance to consumers in more than 144 languages. This card is a handy reference that lists CIC's phone number, e-mail address and a list of common referral numbers. Available in English and Spanish.

Basic Facts About Telemarketing: This revised brochure has up-to-date information about telemarketing, including consumer's rights, current phone scams to look out for, a list of contact information if you feel you have been a victim of a scam, and tips on how to get off—and stay off—telemarketing lists.

Consumer Connection Summer/Fall (Spanish): The Summer/Fall DCA's *Consumer Connection* online magazine is now available in print! In English and Spanish.



CONSUMER SCAM ALERT: STATEWIDE ROUNDUP OF CURRENT CONS

Rollback Roundup: “Sacrifice! Late Model, Low, Low Miles, Deluxe Road Commander 4X4 ...Family Finances Force Sale, Cash Only...” A little fishy? Wait, it gets better. Because the seller is living with his brother-in-law and would rather not explain why he has to sell his car, could you meet in the mall parking lot? But both the odometer mileage and the seller’s name were bogus. Sadly, not everyone is aware that the programs and hex codes to change digital odometers are widely available on the World Wide Web.

Fortunately, Department of Motor Vehicles (DMV) investigators were able to collar the crooked seller, and he’ll have the next seven and a half years to plan a more honest career. If you are shopping for a car, check out the owner’s identification and the car’s certificate of title. You can get the automobile’s history at www.carfax.com. And, having a reliable mechanic (who is independent of the seller) inspect the vehicle is always a good investment. Remember, scammers are always in a hurry. Take your time. If the deal is real, it will keep its appeal.

Collecting Time: Debt collectors are well known for stretching the limits of their authority. One collector in San Diego went too far by telling debtors he was an investigator with the District Attorney’s Office and had warrants for their arrest. Of course they could avoid this unpleasantness by immediately contacting his office. Debt is no crime in America nor have there been debtor’s prisons here since 1869. Extortion, however, is still frowned upon, and when the San Diego District Attorney learned about the debt collector’s ploy, the person was charged, convicted, and is now collecting time behind bars that can never be rolled back.

While debt collection is legal, profane, obscene or abusive language, or harassment, is forbidden, as are unlawful threats. The Department of Consumer Affairs’ Legal Division has prepared detailed information to help you respond to a demand for payment. You may download a copy of “What To Do If You Receive A Demand For Payment From a Creditor Or Debt Collection Agency” at: www.dca.ca.gov/legal/dc_1.pdf. The Legal Division has also prepared a “Summary of the Fair Debt Collection Practices Statutes” available at: www.dca.ca.gov/legal/dc_2.pdf. Printed copies are also available by calling (800) 952-5210.

Consumer Connection would like to thank San Diego County Deputy District Attorney Tricia Pummill for her assistance with Consumer Scam Alert.



Consumer Connection Survey

Welcome to the Department of Consumer Affairs' *Consumer Connection* newsletter survey. If you have a few minutes, please take our online survey. Data from this survey will be used solely to improve future newsletters.

1) Did you find the information in our newsletter useful?

- ☐ Very useful
- ☐ Somewhat useful
- ☐ Neutral
- ☐ Not useful

Comments:

2) On a scale of 1–5, with 5 being the best, how would you rate the overall content of the newsletter?

1 2 3 4 5

Comments:

3) Identify the article(s) you found to be the most valuable.

**4) What topics would like to see covered in future issues?
(Select all that apply.)**

- ☐ Medical/health related
- ☐ Identity theft
- ☐ Auto repair
- ☐ Landlord/tenant issues
- ☐ Home repair scams
- ☐ Other:

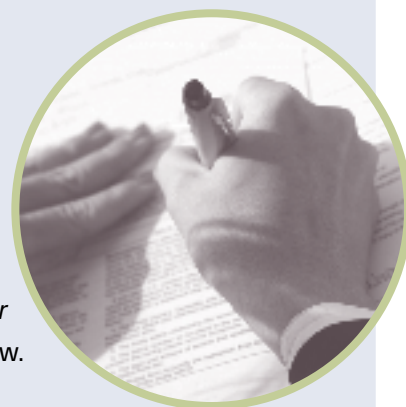
5) How would you describe yourself?

- ☐ A media representative
- ☐ A legislator or legislative staff member
- ☐ A member of a consumer group
- ☐ A member of the general public
- ☐ A staff person from a District Attorneys Office
- ☐ A member of a Consumer-Based Organization
- ☐ A staff person from a governmental agency
- ☐ A Department of Consumer Affairs employee
- ☐ Other:

6) Where are you located?

- ☐ Los Angeles area
- ☐ Orange County
- ☐ San Diego
- ☐ Riverside/San Bernardino
- ☐ Central Valley
- ☐ Bay Area
- ☐ Northern California
- ☐ Sacramento

Thank you for taking the time to answer our survey. If you have any additional feedback about the *Consumer Connection*, please let us know.



SPECIAL THANKS

This Winter 2006 issue of *Consumer Connection* marks the end of its first and most critical year of publication. The *Consumer Connection* Committee would like to take this occasion to those persons outside the Committee, the Policy & Publications Development Office, and the Office of Public Affairs who took time to write and contribute articles to the *Consumer Connection*.

The following is a list of our guest contributors with the links to the articles they wrote:



Mary Gale

"Accountants Warn Consumers About 'Instant' Tax Refund Loans" Spring 2006.

www.dca.ca.gov/pubs/spring2006_newsletter.pdf



Tricia Pummill

"Consumer Scam Alert, Statewide Round-Up of Current Cases" Fall/Winter 2006.

www.dca.ca.gov/pubs/winter2006_newsletter.pdf



Nanette Madsen

"New Coalition Focuses on Children's Internet Safety" Summer 2006.

www.dca.ca.gov/pubs/summer2006_newsletter.pdf

"Children's Internet Safety for the Holidays" Winter 2006.

www.dca.ca.gov/pubs/winter2006_newsletter.pdf



Antonette Sorrick

"Seismic Population Shift Underlies Senior Summit" Spring 2006.

www.dca.ca.gov/pubs/spring2006_newsletter.pdf



Joanne McNabb

"Freeze Out Identity Thieves" Fall/Winter 2005.

www.dca.ca.gov/pubs/winter2005_newsletter.pdf

"Saying No To My Other Me: How \$30 and 30 minutes can give you real protection against identity theft" Spring 2006.

www.dca.ca.gov/pubs/spring2006_newsletter.pdf

"Don't Be a Target, Protect Yourself From Identity Thieves" Summer 2006.

www.dca.ca.gov/pubs/summer2006_newsletter.pdf



Glen Wilson

"Shopping for Your Teen's first Car: Sensible Tips" Summer 2006.

www.dca.ca.gov/pubs/summer2006_newsletter.pdf



Outreach Calendar

February

13-15

World Ag Expo

World Ag Expo is held in Tulare, California, the second week of February each year. The show is the world's largest agricultural exposition, with 2.5 million square feet of exhibit space, more than 1,500 exhibitors, and more than 100,000 attendees from 60 different countries.

Location:

International Agri-Center, Tulare, CA

Hours:

9 a.m. to 5 p.m. on Tuesday,
February 13, 2007
9 a.m. to 5 p.m. on Wednesday,
February 14, 2007
9 a.m. to 4 p.m. on Thursday,
February 15, 2007

Admission:

General Admission: \$9
Three-Day Passes: \$24
Children 6 and under FREE
Advance tickets may be purchased online
or by calling (800) 999-9186 or (559) 688-1751.

Web site:

www.worldagexpo.com/general_info/general.html

17-18

2007 Floral Street Fair (2007 Chinese New Year Lantern Festival)

The Lantern Festival, or Yuan Xiao Jie, is a traditional Chinese festival going back to the Han Dynasty (206 BC – 221AD) which is celebrated on the 15th day of the first full moon of the New Year. The next year will be the Year of the Dog 4704. The Lantern Festival marks the end of the Chinese New Year celebration and especially symbolizes family reunions and a full and happy life.

Location:

Monterey Park City Hall
320 West Newmark Avenue
Monterey Park, CA 91754

Telephone:

(626) 307-1388

Fax:

(626) 307-0753

E-mail:

recreation@montereypark.ca.gov

Web site:

www.floralstreetfair.org/home.html



2007

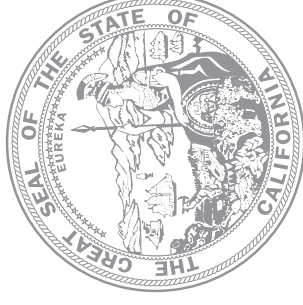
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